

# Exhibit “A”

Plaintiff's Complaint

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**COMP**

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CASE NO: A-21-829574-C  
Department 8

**DISTRICT COURT****CLARK COUNTY, NEVADA**

JASON KENNEY, individually,

Plaintiff,

vs.

WALMART, INC., DOE CLEANING  
COMPANY; DOES I-V; and ROE  
CORPORATIONS I-V, inclusive,

Defendants.

CASE NO.

DEPT. NO.

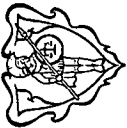
**COMPLAINT**

Plaintiff JASON KENNEY, by and through his counsel, GARNET E. BEAL, ESQ. of the  
DIMOPOULOS LAW FIRM, and for his Complaint against the Defendants, and each of them alleges  
as follows:

**JURISDICTION**

1. That Plaintiff Jason Kenney (hereinafter "Plaintiff") is, and at all times mentioned herein was, a resident of the State of Nevada.
2. That Defendant WALMART, INC is, and at all times mentioned herein, a foreign corporation, licensed to do business in the County of Clark, State of Nevada.
3. The identity of DOE CLEANING COMPANY is unknown at this time; however, Plaintiff believes DOE CLEANING COMPANY to be the cleaner of the subject property. Plaintiff requests leave of the Court to amend this Complaint to name DOE CLEANING COMPANY specifically when its identity becomes known.

DIMOPOULOS  
INJURY LAW



1           4. That Defendants DOES 1-5 and ROE BUSINESS ENTITIES 1-5 are other owners or  
2 operators of the property located at 7200 Arroyo Crossing Parkway, Las Vegas, Nevada 89113,  
3 commonly known as Walmart #4356 ("the Property").

4           5. That Defendants DOES 6-10 and ROE BUSINESS ENTITIES 6-10 are the managers or  
5 controllers of common areas of the Property.

6           6. That Defendants DOES 11-15 and ROE BUSINESS ENTITIES 11-15 are the designers  
7 and maintenance providers for the Property.

8           7. That Defendants DOES 16-20 and ROE BUSINESS ENTITIES 16-20 are the  
9 construction companies, sub-contractors, vendors, inspectors or other persons responsible for  
10 the installation and construction of the area on the Property where the subject incident occurred.

11           8. That the true names and capacities of the remaining Defendants designated herein  
12 as Doe or Roe Business Entities are presently unknown at this time to Plaintiff, who therefore  
13 sues said Defendants by such fictitious names — these entities would specifically include owners  
14 associations presently unknown. When the true names and capacities of these defendants are  
15 ascertained, Plaintiff will amend this Complaint accordingly.

16           9. That at all times pertinent, Defendants and each of them were agents, servants,  
17 employees or joint venturers of every other Defendant herein, and at all times mentioned herein  
18 were acting within the scope and course of said agency, employment, or joint venture, with  
19 knowledge and permission and consent of all other named Defendants.

20           10. That on or about February 20, 2019, Plaintiff was an invitee and patron at  
21 Defendant's property located at 7200 Arroyo Crossing Parkway, Las Vegas, Nevada 89113.

22           11. On or about said date, Plaintiff was walking through the produce section when he  
23 slipped and fell on produce (hereinafter referred to as the "dangerous condition") at Defendant's  
24 property. As a result, Plaintiff was injured on the Property.

25           12. Upon information and belief, the dangerous condition was caused as a direct result  
26 of the Defendant's failure to design, construct, control, supervise, repair, clean and/or maintain  
27 the Property in a reasonable and safe manner.

28           13. Defendant maintained and was in control of the Property.



1 14. Defendant knew, or reasonably should have known, that the dangerous condition  
2 existed on or about the Property.

3 15. Defendant failed to place signs, caution, warn, or otherwise make safe, the  
4 dangerous condition existing on or about the Property. Accordingly, Defendant negligently,  
5 carelessly, and recklessly maintained and allowed the dangerous condition to exist.

6 16. Defendant should have warned or otherwise made safe the dangerous condition  
7 because that condition was non-obvious to Plaintiff.

8 **FIRST CLAIM FOR RELIEF**

9 **(NEGLIGENCE)**

10 Plaintiff incorporates paragraphs 1 through 16 of the Complaint as if those  
11 paragraphs were fully incorporated and set forth herein.

12 17. Defendant owed Plaintiff a duty of care to warn Plaintiff of the non-obvious and  
13 dangerous condition.

14 18. Defendant breached this duty of care by failing to place caution signs, or otherwise  
15 failing to warn Plaintiff of the dangerous, non-obvious condition.

16 19. Defendant's negligence directly and proximately caused Plaintiff serious injury.

17 20. By reason of the premises and as a direct and proximate result thereof, Plaintiff  
18 sustained injuries to his head, neck, back, bodily limbs, organs, and systems all or some of which  
19 conditions may be permanent and disabling in nature, all to his general damage in a sum in  
20 excess of \$15,000.

21 21. By reasons of the premises and as a direct and proximate result of the  
22 aforementioned, Plaintiff was required to and did receive medical and other treatment for his  
23 injuries received in an expense all to his damage in a sum in excess of \$15,000. Said services,  
24 care, and treatment are continuing and shall continue in the future, at a presently  
25 unascertainable amount, and Plaintiff will amend his Complaint accordingly when the same shall  
26 be ascertained.

27 22. Prior to the injuries complained herein, Plaintiff was an able bodied person readily  
28 and gainfully employed and physically capable of engaging in all other activities for which he was  
otherwise suited.



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